submit a report to the Committee on Rules and Administration and Committee on Appropriations of the Senate on the Senate of the program''.

SA 4324. Mr. DURBIN (for Mr. DODD) proposed an amendment to the bill H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, and for other purposes; as follows:

On page 9, between lines 17 and 18, insert:

SEC. ___. PUBLIC SAFETY EXCEPTION TO INSCRIPTIONS REQUIREMENT ON MOBILE OFFICES.

(a) IN GENERAL.—Section 3(f)(3) under the heading ''ADMINISTRATIVE PROVISIONS'' in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1975 (2 U.S.C. 59(f)(3)) is amended by adding at the end the following flush sentence:

''The Committee on Rules and Administration of the Senate may prescribe regulations to waive or modify the requirement under subparagraph (B) if such waiver or modification is necessary to provide for the public safety of a Senator and the Senator's staff and constituents.''

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act and apply to the fiscal year that includes such date and each fiscal year thereafter.

SA 4325. Mr. DURBIN (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. COLLECTION OF PRESCRIPTION DRUG PRICES; CALCULATION OF AVERAGE RETAIL PRICES; CONSUMER GUIDE TO PRESCRIPTION DRUGS.

(a) PURPOSES.—The purposes of this section are the following:

(1) To provide beneficiaries under the medicare program under title XVIII of the Social Security Act with information on the prices of prescription drugs so that they can decide, in consultation with their health care providers, whether a brand name drug or its therapeutic or generic equivalent would be appropriate.

(2) To provide information to health care providers on the prices of prescription drugs and the generic equivalents of such drugs.

(3) To inform beneficiaries under the medicare program of the role of the Food and Drug Administration in ensuring that generic drugs are as safe as brand name drugs and equivalent to brand name drugs.

(b) CALCULATION OF AVERAGE RETAIL PRICES.—

(1) COLLECTION OF RETAIL PRESCRIPTION DRUG PRICES.—

(A) RETAIL PRICES OF 200 MOST COMMONLY USED DRUGS BY MEDICARE BENEFICIARIES.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall establish a process for the collection of sample data nationwide on the retail prices of the 200 most commonly used prescription drugs by beneficiaries under the medicare program.

(B) RETAIL PRICES OF ADDITIONAL DRUGS.—The process established under paragraph (1) may provide for the collection of retail prices on prescription drugs not described in such paragraph if the Secretary determines that such collection is feasible and would be beneficial to beneficiaries under the medicare program and their health care providers.

(2) CALCULATION OF AVERAGE RETAIL PRICES.—Using the data collected under paragraph (1), the Secretary shall calculate an average retail price for each prescription drug for which data is collected under such subsection.

(3) AUTHORITY TO CONTRACT WITH A PRIVATE ENTITY TO COLLECT DATA AND CALCULATE PRICES.—If determined appropriate by the Secretary, the Secretary may contract with a private entity to—

(A) collect the data under paragraph (1); and

(B) make the calculations under paragraph (2).

(c) CONSUMER GUIDE TO PRESCRIPTION DRUGS.—

(1) IN GENERAL.—The Secretary shall—

(A) annually publish a Consumer Guide to Prescription Drugs;

(B) annually distribute such Guide to beneficiaries under the medicare program;

(C) make such Guide available to health care providers; and

(D) maintain the information contained in such Guide on the Medicare Internet site of the Department of Health and Human Services.

(2) REQUIREMENTS.—The Consumer Guide to Prescription Drugs established under paragraph (1) shall, with respect to the drugs for which data is collected under subsection (b)—

(A) provide beneficiaries under the medicare program and health care providers with—

(i) easy-to-understand information about such prescription drugs and information on the requirement under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) that a generic drug be bioequivalent to the brand name drug for which it is a substitute; and

(ii) information to assist such beneficiaries and providers in comparing the costs of such prescription drugs by therapeutic category; and

(iii) information regarding the wide variation in drug prices across the country;

(B) group such prescription drugs within their therapeutic classes;

(C) identify generic equivalents where available for brand name drugs in a manner that allows the beneficiary and the health care provider to compare the relative prices of generic and brand name drugs; and

(D) include a list of the average retail price of each such prescription drug (as determined under subsection (b)).

(3) TIMEFRAME.—The Secretary shall publish the Consumer Guide to Prescription Drugs within 24 months of the date of enactment of this Act and shall publish an updated version of the Guide annually thereafter. The Secretary may publish periodic bulletins to such Guide that reflect changes in the prices of prescription drugs in the Guide between the dates of annual publication of the Guide.

(4) INCLUSION IN MEDICARE HANDBOOK.—If the Secretary determines that it is appropriate to do so, the Secretary may publish the Consumer Guide to Prescription Drugs as part of the notice of medicare benefits required by section 1804(a) of the Social Security Act (42 U.S.C. 1395b–2(a)).

(d) GENERIC DRUG DEFINED.—In this section, the term ''generic drug'' means—

(1) a drug approved under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and for which the brand name drug is the listed drug for the drug approved under such a subsection; and

(2) a drug that the Secretary has determined is therapeutically equivalent to a drug described in paragraph (1) that is not a brand name drug.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the committee on Energy and Natural Resources.

The hearing will take place on Wednesday, August 7, 2002, from 9:00 a.m. until 11:00 a.m. at the Genoveva Chavez Community Center, 3221 Rodeo Road, in Santa Fe, New Mexico.

The purpose of the hearing is to receive testimony on S. 2776, a bill to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, 312 Dirksen Senate Office Building, Washington, DC 20510, or to Senator Bingaman's office in Santa Fe, 119 E. Marcy Street, Suite 101, Santa Fe, NM 87501.

For further information, please contact David Brooks of the Committee staff at (202) 224–4103.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, July 25, 2002, at 9:30 a.m., in open session to receive testimony on the national security implications of the strategic offensive reductions treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, July 25, 2002, immediately following the first rollcall vote, to conduct a mark up on the nominations of Mr. Paul S. Atkins, of Virginia, to be a member of the Securities and Exchange Commission; Mr. Harvey Jerome Goldschmid, of New York, to be a member of the Securities and Exchange Commission; Ms. Cynthia A. Glassman, of Virginia, to be a member of the Securities and Exchange Commission; and Mr. Roel C. Campos, of Texas, to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.